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STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

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4 In the Matter of PETITION TO CHANGE
5 PLACES OF USE AND PURPOSES OF USE
6 OF WATER TO DEDICATE WATER FOR
7 ENHANCEMENT OF FISH AND WILDLIFE
8 RESOURCES (WATER CODE SECTION 1707)
9 FOR FRENCH CREEK DECREE DIVERSION
10 48

Declaration of Joe Scott
Water Resources Technician II
California Department of Water
Resources
Red Bluff, California

11 I, Joe Scott, declare as follows:

12
13 1. I am a Water Resources Tech II working for the California Department of
14 Water Resources, Division of Planning and Local Assistance, Northern District Office.
15 The Northern District office is located in Red Bluff, California. I have performed
16 watermaster duties predominantly on the Scott River including French Creek in
17 western Siskiyou County from 2001 to the present. (I was Shasta River watermaster
18 for 2003. In 2006, I worked in Oroville, California on non-watermaster duties, but
19 continued to perform watermaster work on Scott River once a month.)

20 2. A DWR watermaster implements a water decree or order issued by a
21 court or the State Water Resources Control Board. The principal duty of a
22 Watermaster is ensuring each user under the decree takes what the user is entitled
23 by setting diversion amounts at water diversion gates. In addition, other duties
24 include measuring water flow on creeks subject to the water rights order and helping
25 to informally resolve disputes. I maintain a detailed, daily log book of flows I measure
26 and diversion adjustments I make. I visit diversions within the Scott River area at
27 least once a week during irrigation season (April 1 through September 30 for the
28

1 French Creek Decree) and occasionally thereafter.

2 3. One of the court decrees I am responsible for implementing is the
3 Judgment in Mason v. Bemrod, Siskiyou County Case No. 14478 filed July 1, 1958.
4 This decree determines water rights of the French Creek stream system in Siskiyou
5 County. I will refer to this Judgment as the "French Creek decree."

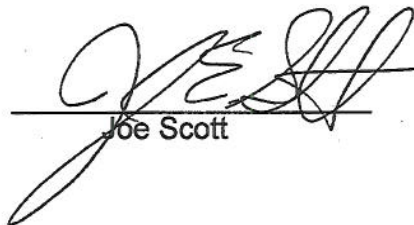
6 4. Under the French Creek decree, water user John Spencer holds
7 rights to divert water from French Creek at Diversion number 48. Mr. Spencer is the
8 successor in interest to original water right holder Madelyn Browne. The water rights
9 Mr. Spencer holds are identified in Table 3, on page 20 of the French Creek decree.
10 Mr. Spencer holds the water rights originally granted to Ms. Browne, a seventh
11 priority right to divert 0.76 cfs.

12 5. I am aware from my personal knowledge that Mr. Spencer has
13 continuously operated and maintained Diversion number 48 per what is allowed
14 under the French Creek decree for as long as I have performed watermaster service
15 on French Creek.

16 6. I understand there is a request to add instream beneficial uses to
17 the current uses of Mr. Spencer's water right. This project should not adversely
18 affect legal users of water on French Creek.

19
20 I declare that the above information is true to the best of my knowledge and belief.

21 Executed in Red Bluff, California on January 29, 2009.

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